1953

Home Dept

Memo 11707 Cts III 153-2

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FOR MYSORE STATE

HOME DEPARTMENT

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Memorandum No.111707 Cts.III/53-2, dated 27th June 1953.

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SUB: LAW OFFICERS - Mufassal - Government Pleaders and Pleaders doing Government work - Services on behalf of Commissioner Hindu Religious and Charitable Endowment Department - Payment of fees etc. - Clarification.

L (Administration)

Ref: From the Board of Revenue, L.Dis.A.824/53, dated 25th May 1953.

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With reference to letter No.54531/63-1, Legal, dated 28th March 1953 from the Commissioner, Hindu Religious and Charitable Endowment (Administration) Department to the Board of Revenue for clarification of certain points regarding payment of fees etc. to Government Pleaders and Pleaders doing Government work, the following information is furnished:-

(1) Payment of advances of fees etc: Government Pleaders and Pleaders doing Government work are not allowed fees till the conclusion of the proceedings. Standing Order 12(1) in Part I of the Annexure to G.O.No.P.4350, Home, dated 25th October 1940as recently amended by G.O.Ms.No.1599, Home, dated 13th May 1953, regulates the payment of fees to Government Pleaders in the mufassal. The same principle applies in analogy to Pleaders doing Government work also. Copies of G.O.No.4350, Home, dated 25th October 1940, as subsequently amended and G.O. Ms.No.1599, Home, dated 13th May 1953 are furnished.

(2) Payment of advances of out fees etc: There is no provision for the payment of advance of outfees to Government Pleaders and Pleaders doing Government work.

(3) Supply of service postage stamps etc: The Government Pleaders in the mufassal are supplied at Government cost service postage stamps etc. The concerned Collectors draw on contingent bills service stamps required for the Government Pleaders with in the jurisdiction. The Pleaders doing Government work are not allowed such miscellaneous charges. Copies of G.O.Ms.No. 2795, Home, dated 7th July 1949 and No.115, Home, dated 8th January 1941 on the subject are enclosed.

(4) Payment of scriptory charges: The Government Pleaders in the mufassal are not allowed any such fees.

The attention of the Commissioner is invited to the instructions in B.S.O.57, (6) in which it is laid down that pleaders doing Government work will not be paid the charges incurred by them on stationary and clerical work in addition to the fees paid for the conduct of cases though this rule does not apply to execution petitions for which collectors are authorised to pay such charges where the amount involved is 25% or more of the pleader's fee.

(5) **Payment of expenses relating to batta charges court fee etc.** The Government Pleaders in the mofussil are allowed a permanent advance of Rs.20/- each and the Collectors have been authorised to increase this amount to Rs.50/- in consultation with the Accountant General, Madras. They are not allowed any separate amount for meeting expenses relating to batta charges etc. However incidental expenses incurred by the Government Pleader or by a Pleader doing Government work are allowed in full if duly certified by the Court".

G.GOPALAKRISHNA NAIDU,
Deputy Secretary to Government.

To the Commissioner, Hindu Religious and Charitable Endowment (Administration) Department, (with enclosure)
Copy to the Board of Revenue, Chepauk.
Copy to the Rural Welfare Department (with enclosure).

Copy for Mysore State Forwarded / By Order

SUPERINTENDENT.

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